REMARKS

Claims 1 and 3-13 are currently pending in the application. No claims have been amended, canceled, or added. Applicant respectfully requests reconsideration of the application in view of the following remarks.

Claims 1 and 3-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,577,861 to Ogasawara in view of U.S. Patent No. 4,716,576 to Sakai et al. ("Sakai").

The Office Action concedes that Ogasawara does not disclose a switching device having a first input coupled to a microphone. In addition, the Office Action concedes that Ogasawara does not disclose the switching device having a second input coupled to a reading device and a control for selecting whether a first and a second analog electric signal is to be forwarded to a processing device. Sakai has been cited as disclosing a switching device having a first and a second input.

Sakai discloses an apparatus for controlling a transmitter-receiver that can transmit and receive an aural signal and a data signal. The transmitter-receiver comprises a transmission unit and a receiving unit. The apparatus controls the transmitter-receiver that can automatically switch the transmission and reception of the aural signal and the data signal without requiring a manual operation. The switching is performed by means of a change-over switch.

Applicant respectfully submits that the cited combination of Ogasawara and Sakai fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claim 1, namely, a switching device having a first input coupled to a microphone, a second input coupled to a reading device, and a control input for receiving a control signal for selecting whether a first or a second analog electric signal is to be forwarded to a processing device. In addition, the cited combination of Ogasawara and Sakai fails to teach, suggest, or render obvious a processing device adapted to process the first and second analog electric signals through a single signal path.

Ogasawara discloses an electronic shopping system that utilizes a program downloadable wireless telephone into which a purchaser transaction program is downloaded

from a vendor's server. This enables a shopper to perform purchase transactions with the wireless telephone. In Ogasawara, an output of a microphone is connected to a transmitter while an output of a bar code scanner is connected to the transmitter through a microprocessor. The output of the microphone and the output of the bar code scanner are not connected to a common input port. The output of the microphone and the output of the bar code scanner are not connected to the common input port. Applicant respectfully submits that the cited combination does not teach or suggest where to place the change-over switch of Sakai. The change-over switch of Sakai could be placed at either the output of the microphone or the output of the bar code scanner of Ogasawara. The cited combination of Ogasawara and Sakai fail to teach, suggest, or render obvious a processing device adapted to process the first and second analog electric signals through a single signal path. Withdrawal of the rejection of independent claim 1 is respectfully requested.

Dependent claims 3-8 and 10 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 3-8 and 10 distinguish over the cited combination of Ogasawara and Sakai and are in condition for allowance. Withdrawal of the rejection dependent claims 3-8 and 10 is respectfully requested.

Independent claim 11 is directed to a portable communication apparatus. Applicant respectfully submits that the cited combination of Ogasawara and Sakai fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claim 11, namely, a switching device having a first input coupled to a microphone and a second input coupled to a reading device. In addition, the cited combination of Ogasawara and Sakai fails to teach, suggest, or render obvious a processing device adapted to process a first and a second electric analog electric signal through a single signal path.

In Ogasawara, an output of a microphone is connected to a transmitter while an output of a bar code scanner is connected to the transmitter through a microprocessor. The output of the microphone and the output of the bar code scanner are not connected to a common input port. The output of the microphone and the output of the bar code scanner are not connected to the common input port. Applicant respectfully submits that the cited combination does not teach or suggest where to place the change-over switch of Sakai. The change-over

switch of Sakai could be placed at either the output of the microphone or the output of the bar code scanner. The combination of Ogasawara and Sakai would require two change-over switches, one at the output of the microphone and the other at the output of the bar code scanner. However, the present invention as in claim 11 includes a switching device having a first input coupled to a microphone and a second input coupled to a reading device. Applicant respectfully submits that claim 11 distinguishes over the cited combination of Ogasawara and Sakai and is in condition for allowance. Withdrawal of the rejection of independent claim 11 is respectfully requested.

Independent claim 12 is directed to a portable communication apparatus. Applicant respectfully submits that the cited combination of Ogasawara and Sakai fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claim 12, namely, a switching device having a first input coupled to a microphone and a second input coupled to a reading device. In addition, the cited combination of Ogasawara and Sakai fails to teach, suggest, or render obvious an output of the switching device being coupled to an input of a processing device for receiving either a first or a second analog electric signal based on a control signal.

In Ogasawara, an output of a microphone is connected to a transmitter while an output of a bar code scanner is connected to the transmitter through a microprocessor. The output of the microphone and the output of the bar code scanner are not connected to a common input port. The output of the microphone and the output of the bar code scanner are not connected to the common input port. Applicant respectfully submits that the cited combination does not teach or suggest where to place the change-over switch of Sakai. The change-over switch of Sakai could be placed at either the output of the microphone or the output of the bar code scanner. The combination of Ogasawara and Sakai would require two change-over switches, one at the output of the microphone and the other at the output of the bar code scanner. However, the present invention as in claim 12 includes a switching device having a first input coupled to a microphone and a second input coupled to a reading device. Applicant respectfully submits that claim 12 distinguishes over the cited combination of Ogasawara and Sakai and is in condition for allowance. Withdrawal of the rejection of independent claim 12 is respectfully requested.

Dependent claim 13 depends from and further restricts independent claim 12 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 12, dependent claim 13 distinguishes over the cited combination of Ogasawara and Sakai and are in condition for allowance. Withdrawal of the rejection dependent claim 13 is respectfully requested.

In view of the above remarks, Applicant respectfully submits that the pending application is in condition for allowance.

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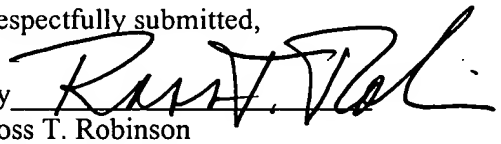
Respectfully submitted,

By 

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